



## Memorandum

Community Relations

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**DATE:** February 12, 2008

**TO:** Mayor and Council

**FROM:** Amber Wakeman, Government Relations Director (x8824)

**THROUGH:** Shelley Hearn, Community Relations Manager (x8906)

**SUBJECT:** 2008 Federal Legislative Program

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Attached please find a copy of the 2008 Federal Legislative Program. This issue will go before Council at the February 21<sup>st</sup> Issue Review Session.

If you have any comments or questions please let me know.

Thank you.

Attachment



**CITY OF TEMPE  
2008 FEDERAL LEGISLATIVE PROGRAM  
FOR FISCAL YEAR 2009**

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**RIO SALADO**

**Environmental Restoration Project**

The Tempe/Phoenix Rio Salado Environmental Restoration Project was included in the 1999 Water Resources Development Act (WRDA). The project received over \$80 million in Army Corp of Engineers monies from FY01 to FY08.

It is with great pleasure that the City can announce that with the FY08 appropriation, we will now be able to complete the remaining portion of the final phase of Tempe's portion of the Rio Salado Environmental Restoration Project - the upstream Salt River zone. This zone will have riparian vegetation, and consists of 40 acres of Aquatic, and up to 10 acres of Cottonwood-Willow and Mesquite Bosque inundated habitats. A nuisance water bypass pump and pipeline is to be included in the design to address temporary inundation by upstream discharges to the Salt River.

This project could not have been accomplished without Congressional and the U.S. Army Corps of Engineers help and support. Congressional staff and U.S. Army Corps staff was key in assisting the City of Tempe make this project a reality.

**Congressional Action**

The City would like to thank the delegation for their support and commitment in helping complete the Rio Salado Environmental Restoration Project.

**Veteran's Memorial**

A Veterans Memorial is planned at Tempe Beach Park adjacent to the Historic Ash Avenue Bridge Abutment to honor all United States Veterans. Tempe Town Lake attracts over two million visitors each year.

The concept for the memorial includes five brushed stainless steel plates with each representing one of the five major branches of military service. The steel plates wrap around and protect a crystal suspended in the middle of the memorial. The crystal embodies the spirit and virtues of the United States of America. Its beauty is fragile in contrast to the steel plates that protect it. It represents every man and woman who has enlisted in the armed forces to protect our families and serve the community.

The memorial is proposed to be made of stainless steel which is approximately 32 feet tall and 8 feet wide. The interior surface of the panels is polished and highly reflective with the brushed finish exterior being graffiti resistant. Suspended within the protective steel structure is an 8 foot long crystal, constructed with 400 pieces of dichroic glass. Developed by the aerospace industry, dichroic glass has a crystal coating which does not denigrate over time. It both reflects and refracts light, producing a different color on each side. The crystal will exhibit an array of 56 colors. LED fixtures will downlight the interior of the memorial at night and the glass will cast multi-colored patterns on the interior surface and adjacent paving. Visitors will be enticed to walk around, and through the structure to discover the crystal within.

### ***Congressional Action***

The City of Tempe is seeking Congressional support for \$3 million for the Veteran's Memorial.

### **Papago Park- Town Lake Path Connection**

This project will connect disparate paths and public amenities into a cohesive gateway. A quarter mile addition of ADA compliant multi-use path would connect Tempe Town Lake north bank to existing sidewalks leading to Mill Avenue District, proposed Cross Cut Canal Multi-use Path in Papago Park and the Center Parkway light rail station. This path would generally follow the LakeView Drive right-of-way but would add ADA grade connections rising up to north and southbound Mill Avenue. ADA parking spaces already exist along LakeView Drive and west of Mill Avenue. Town Lake's popularity for walking/biking events and activities will be enhanced by this connection, as will connectivity to light rail. Improvements would include a concrete multi-use path, street trees, lighting and pedestrian amenities (way-finding signage and benches).

Mill Avenue and Washington St (aka Curry Road) are a gateway to Papago Park and Town Lake. Enhancements to the intersection would include gateway identification, intersection banner and enhanced landscaping at all four corners.

### ***Congressional Action***

The City of Tempe is seeking Congressional support for the Papago Park-Town Lake Path Connection in the amount of \$2.3 million.

### **Pedestrian Bridge over Tempe Town Lake over the East Dam**

A pedestrian bridge at the east dam of Town Lake is the last segment needed to complete a lakeside loop around Town Lake. The bridge would elevate piers that hold the east dam to above the 100 year flood level and create a separated multi-use (pedestrian, bike) crossing of the Salt River. The bridge would be about 900 feet in length and would connect to established multi-use recreational paths on the north and south banks.

### ***Congressional Action***

The City of Tempe is seeking Congressional support to secure \$3.75 million for a pedestrian bridge over Tempe Town Lake.

### **Tempe-Mesa Multi-Use Path Corridor**

An approximately two (2) mile path corridor would connect the terminus of the Rio Salado Habitat Restoration in Tempe to the Va Shly'ay Akimel Salt River Restoration project in Mesa. One mile of the path will be in Tempe and one mile in Mesa. Corridor construction would include a concrete multi-use path, landscaping, lighting and pedestrian amenities (drinking fountains & benches). A segment adjoining Tempe MarketPlace has an existing gravel path and lighting for ½ mile. This corridor will utilize an existing maintenance drive under the ADOT Loop 202 and Loop 101 interchange minimizing the need for structured crossing at the freeway interchange. However, a pedestrian underpass at McClintock is proposed. There is an opportunity to place unpaved hiking trails in the Salt River bottom.

Construction of the Va shly'ay Akimel first section from the Loop 101 Freeway to just east of Alma School Road could begin construction by as early as 2010. Tempe/Mesa seek to have the construction coincide with the authorization and construction schedule of the Mesa's project.

### ***Congressional Action***

The City of Tempe is seeking Congressional support for the Tempe-Mesa Multi-use Path Corridor from Tempe to Mesa in the amount of \$2.8 million.

### **Historic Ash Avenue Bridge Abutment**

The Ash Avenue Bridge Abutment is on the Tempe Register of Historic Places. This historic place is a significant landmark in our community and is in an advanced stage of disrepair and deterioration from the natural elements. Preservation work is needed to stabilize and eventually return this monument of history to re-use as an observation platform. The former road approaching the abutment requires restoration and will provide public access to the top of the bridge abutment as an observation deck.

### ***Congressional Action***

The City of Tempe is seeking Congressional support to secure \$1.2 million for the Ash Avenue Bridge abutment and road approach to the abutment at Tempe Beach Park.

## **PUBLIC SAFETY**

### **Public Safety Communications Interoperability**

The City of Tempe has been working with other Valley agencies to achieve public safety communications interoperability throughout the Phoenix metro area. Considerable progress has been made with the help of the Community-Oriented Policing (COPS) grant in 2005 (\$5,503,525.00) and other federal funds (FY06 \$40,000.00 and FY08 \$681,000.00), which will allow Tempe to communicate with other law enforcement and fire agencies on a day-to-day basis.

### ***Congressional Action***

Tempe is seeking Congressional support for the remaining \$5.7 million needed for our interoperability system. Tempe and other public safety entities throughout the state will continue to work on efforts to address this critical communications interoperability issue, but funding for these costly solutions continues to be an obstacle.

#### **Emergency Response Training Programs - Burn Room Replacement**

The Fire Training Center with the burn room was built in 1993. The extensive use of this facility and the significant benefits derived for our members have exceeded expectations. Because the building sustains damage with each live fire training exercise it limits the life of the building. The substantial use of the burn room for training necessitated the installation of fire resistant tiles in 2003. This installation was done as a temporary measure to extend the useful life of the building. Given the critical nature of this training for firefighter safety, it is essential that the burn room be kept in a functioning state. This facility is used for both basic and on-going fire attack and safety training is used by many different fire departments including the Maricopa and Salt-River Indian communities.

#### ***Congressional Action***

Tempe is seeking Congressional support to secure the \$500,000.00 needed to replace the burn room training facility.

## **TRANSPORTATION**

#### **Transit Investments in the Community – Working Together for Success**

On November 2, 2004, voters in Maricopa County approved Proposition 400, extending the county-wide half-cent transportation tax for an additional 20 years. While the measure was approved by over 57 percent county-wide, Tempe voters approved the measure by 65 percent – demonstrating the strongest support for transportation improvements within the region.

The Regional Transportation Plan, which will be funded by the transportation tax, includes a diverse balance of transportation options that meet the differing needs of each community. For Tempe, that mix includes: commuter express bus service from neighboring cities to downtown Tempe and Arizona State University; increased bus frequency on major bus routes in Tempe and into neighboring cities; regional funding of American with Disabilities Act (ADA) paratransit (dial-a-ride) service; and extension of Light Rail Transit (LRT) to further serve the community.

The leaders of our region will continue to work together to plan and implement a multi-modal transportation system that will accommodate our region's transportation needs for the next 20 to 40 years. The success of this effort is only possible with the support of the Arizona Congressional Delegation.

Passage of Prop 400, combined with Tempe's successful 1996 transit election, the passage of Transit 2001 in the City of Glendale and Transit 2000 in the City of Phoenix,

exemplify the significant local commitment our region has made toward developing a successful transit program throughout the Valley.

During 2005, Valley Metro Rail signed the full funding grant agreement with the Federal Transit Administration for \$587 million for the Central Phoenix/East Valley Light Rail Project and started construction of the METRO light rail system connecting Phoenix, Tempe and Mesa. This project was also authorized in the "Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" or "SAFETEA-LU", which passed in 2005. The project is expected to be open in December 2008.

Beyond the twenty mile Central Phoenix/East Valley Light Rail Project, Valley Metro Rail will be pursuing 38 miles of rail extensions funded with the passage of Prop 400. These improvements include a high capacity corridor within the City of Tempe. Potential technologies being considered include commuter rail, light rail and bus rapid transit.

### ***Congressional Action***

The City of Tempe along with its Valley Metro partners have made joint annual federal appropriation requests for important regional transit projects since 1998. For the FY 2009 appropriations budget, Tempe and Valley Metro are requesting the following:

- \$102.4 million for Valley Metro Rail projects
- \$74.7 million for buses and bus facilities

Incorporated into these joint FY 2009 request for federal funding are the following Tempe items:

- \$90 million for the Central Phoenix/East Valley LRT project per the federal transit full funding grant agreement (FFGA).
- \$3.4 million from Alternatives Analysis funds for the Valley Metro Rail Tempe Extension.
- \$3.69 million for 10 expansion buses to provide service along Rio Salado Parkway.
- \$1.467 million for East Valley Bus Operations and Maintenance Facility as appropriated in SAFETEA-LU, federal surface transportation act approved in 2006.
- An additional \$3.398 million for East Valley Bus Operations and Maintenance Facility.

## **CONGRESSIONAL SUPPORT**

### **RIO SALADO**

#### **Brownfield Opportunities**

The City of Tempe has identified 30 acres of property (which is one the last large remaining parcel of developable land in the City) which carries BLM patent restrictions as well as constraints due its location next to a navigation aid for Sky Harbor Airport.

The City would like to create opportunities for indoor and outdoor recreation to promote both economic development and the quality of life in our Community.

***Congressional Action***

The City of Tempe will work with our federal lobbyist and Congressional Delegation to assist in creating these opportunities.

## **WATER**

**Infrastructure Security Enhancements**

The Public Health Security and Bioterrorism Preparedness and Response Act ( Public Law 107-188 ) required water utilities, serving more than 3,300 people, to conduct a vulnerability assessment to determine the risk (s) associated with malevolent acts aimed at disrupting their ability to provide a safe and reliable supply of drinking water. The assessments were to address the security of facilities and assets that are integral to water sources, treatment, storage, and distribution, as well as related electrical / control systems.

In October of 2002, the City of Tempe was awarded an EPA grant to complete a vulnerability assessment of the water system. The assessment was complete and recommendations were made to enhance the utilities' security measures. These measures included but are not limited to: cameras, security fencing, perimeter detection devices, controlled access, vehicle barrier systems, etc.

The executive summary for the assessment recommended short term and long term security measures. The City of Tempe Water Utilities Department is committed to security and has already implemented some measures recommended by the vulnerability assessment.

***Congressional Action***

The City of Tempe Water Utilities Department will work with our federal lobbyist and Congressional delegation to seek support from the Federal Government Grant Programs to recognize the needs of critical infrastructures as it relates to water security and to designate these projects as priorities in the available federal grant funding sources. Water is a critical component of Public Safety, and as such, we are requesting that grant program managers reevaluate the distribution process and also consider critical infrastructures as a priority in the available grant programs and direct available funding accordingly.

## **ECONOMIC DEVELOPMENT**

**Community Development Block Grant (CDBG) and other Core HUD and Health and Human Services (HHS) Federal Programs**

Preserve the Community Development Block Grant - The President's 2008 budget calls for a \$936 million reduction in the Community Development Block Grant (CDBG) formula grant funding level, representing a 25% loss from \$3.711 billion in FY 07 to \$2.775 billion in FY2008. Tempe sees these cuts as evidence that the Administration is abandoning its commitment to America's communities in the guise of reform. This level of reduction in funding will pose serious threats to cities' and states' ability to provide important services and economic recovery for their citizens.

CDBG is an important tool used by local and state officials as they tackle their most serious community development challenges.

CDBG resources provide funding for public works and infrastructure, decent affordable housing, public services, and economic development. Private companies, such as construction contractors, plumbers and electricians, as well as non-profit community-based providers, carry out many of these activities at the local level.

Because of its flexibility and use in a variety of projects, local and state governments and development officials have come to rely on the program as the cornerstone of any new community revitalization effort. Every dollar of the CDBG program invested in communities is leveraged with three dollars in private funding, bringing much-needed investment, jobs, and the chance for a fresh start to blighted communities.

### ***Congressional Action***

The City of Tempe urges Congress to fund CDBG formula grants at \$4.5 billion. Further, to urge Congress to strongly reject the proposal by the President to "reform" the CDBG allocation formula to better target funds to communities most in need of assistance. Targeting areas most in need should be accomplished through providing additional CDBG resources for those areas but NOT at the expense of jurisdictions that are effectively using CDBG funds to serve their critical housing and community development needs.

### **Housing**

#### **HOMELESSNESS**

Ending chronic homelessness requires increasing our nation's inventory of permanent, affordable housing.

### ***Congressional Action***

Tempe advocates several changes to IRC Section 42, HUD and VA programs so that these complimentary funds can be used together to produce housing for the homeless. Funding for long-term case management services must be provided, or included as part of the tax credit basis.

### **SECTION 8 REFORM**



The Housing Choice Voucher (HCV) program has successfully assisted millions of low-income households for more than 30 years in meeting the critical human need of safe, decent, affordable housing. The Government Accounting Office has found that the HCV program is one of the most efficient methods of providing rental assistance.

Tempe does NOT concur with the administration's assessment that the HCV program is "broken" and needs to be fixed. As affordable housing professionals, we are seeking reforms to this successful program that will encourage greater efficiencies in program administration, implement cost savings measures and provide Housing Authorities a greater degree of local control in dealing with the large unmet need in their communities. We believe that Housing Agencies, if provided with adequate resources to meet the task, are capable of administering the HCV program in a manner that is responsible and consistent with the federal government's mission to address the needs of the low-income households in their communities.

### ***Congressional Action***

Tempe strongly advocates that changes in the HCV program be considered in a comprehensive manner. We offer our expertise to work with Congress, the administration and other stakeholders to make the HCV a stronger, more effective, tool in assisting low-income households rent decent, affordable housing. Tempe will continue to seek Congressional support to protect the funding for Section 8 Housing from any cuts in the federal budget. Currently the City has 1250 applications (approximately 2880 individuals) on the Section 8 wait list.

### **FULL FUNDING FOR THE HOUSING CHOICE VOUCHER PROGRAM**

The Housing Choice Voucher (HCV) Program has become a key program used by the federal government in addressing the housing needs of low-income households across the nation. The HCV program provides a monthly subsidy to approximately two million elderly, disabled and family households renting decent, privately owned housing close to services and in safe neighborhoods.

Since April 2004, the federal government has taken actions that have effectively altered the fundamental arrangement between the federal government and the local Public Housing Authorities (PHA) that administer the HCV program.

Prior to fiscal year 2004, funding for the HCV program was calculated using an "actual cost" based method. This method assured that each PHA would receive adequate funding to provide rental assistance to the baseline number of households under their Annual Contributions Contract.

In fiscal year 2004, the funding for the HCV program was converted to a "budget-based" method, which in essence is a block grant program. As with other block grant programs, this approach has allowed HUD to cut funding to PHAs for both rental assistance and administrative fees each subsequent year.

The budget-based method has destabilized the HCV program resulting in inequities in funding for PHAs as approximately 50% of the PHAs have been under funded and 50% over funded in rental assistance dollars. HUD's allocation formula has resulted in approximately 100,000 fewer households receiving rental assistance through the HCV program since 2004.

Tempe applauds Congress for appropriating enough funding to cover all Housing Choice Vouchers in use in fiscal year 2006; however, it has grave concerns over HUD's allocation formula which has lead to the over/under funding situation. Tempe advocates for HCV renewal funding that is sufficient to cover each PHA's baseline units and oversight of HUD's allocation formula to ensure that each PHA receives the funding needed to support their baseline units and restores administrative fees to levels needed to efficiently operate the program.

### ***Congressional Action***

The City of Tempe urges Congress to fund the Housing Choice Voucher Program to cover each Public Housing Authorities' baseline units and restore administrative fees to sufficient levels.

## **YOUTH & EDUCATION ISSUES**

### **Federal Education Opportunities**

The City of Tempe will work with our federal lobbyist to secure any available federal grants or support legislation for the following programs:

- Bridges Program – a cognition remediation program;
- International Baccalaureate (IB) Program - The (IB) program is geared towards advanced high school students. The IB program provides students with credit that can be used towards college degree- International or Domestic;
- Jobs for America's Graduates (JAG) – JAG is a drop out prevention program;
- After School Enrichment Programs;
- School Lunch Programs;
- Arts Education; and
- Kindergarten – 12<sup>th</sup> Grade and University Funding.

### **No Child Left Behind Act**

The City of Tempe strongly urges Congress to support reauthorizing the Elementary and Secondary Education Act also known as "No Child Left Behind" (NCLB). The current reauthorization of the legislation is designed to include environmental education in state NCLB implementation and support growing state and local "No Child Left Inside" initiatives. Further, the legislation encourages states to develop specific plans to support environmental education and stress the value of providing opportunities for teachers and students to improve their skills and learn in field-based and hands-on settings.

### **The Fit Kids Act**

The City of Tempe strongly urges Congress to support legislation that would address the childhood obesity epidemic by putting more emphasis on expanding quality physical education and physical activity in schools. The "Fitness Integrated with Teaching Kids Act" or FIT Kids Act would amend the No Child Left Behind Act to encourage schools to meet the national quantity and quality standards for physical education.

The FIT Kids Act would provide incentives for schools that meet the national standards for physical education. It would support professional development for teachers and principals to promote healthy lifestyles and physical activity and fund a pilot program to study the most effective ways to improve healthy living and physical activity outcomes.

## **PUBLIC SAFETY**

### **Homeland Security**

Decisions by the U.S. Department of Homeland Security (DHS) have put future funding from the Urban Area Security Initiative (UASI) grant to the Maricopa County region at risk. UASI funds regional response teams, incident support teams and threat assessment teams, hardening of critical infrastructure, establishment of terrorism intelligence gathering systems and equipment, assists with overtime costs associated with orange alert periods, and is used to purchase personal protective equipment. Loss of UASI funds would have an adverse effect on Police and Fire Department resources, as well as the City's ability to prevent, respond to and mitigate man-caused and natural catastrophic events. Tempe and other Valley cities have engaged in discussions with DHS regarding its risk assessment, but is not satisfied that the region's concerns are being heard.

### **Congressional Action**

Tempe and other public safety entities in Maricopa County will continue to work with our Congressional delegation to make procuring resources through UASI and other DHS programs a high priority.

### **Hazard Mitigation and Emergency Response Programs**

Federally-mandated state and local emergency management responsibility continues to increase, while federal funding for hazard planning, training, and mitigation has actually been decreasing.

### **Congressional Action**

Tempe will continue to work with our Congressional delegation to support efforts to secure adequate funding for hazard mitigation and emergency response programs, such as the Emergency Management Performance Grant, so that state and local governments can protect citizens when disaster occurs.

### **Technology and Capital for Emergency Response Programs**

Federally-mandated state and local emergency management responsibility continues to increase. The Fire Department would focus on securing funds for: satellite communications, training burn room expansion, replace audio/visual deliver communication system and cabling, airport crash rescue apparatus, and emergency operations center mapping software and printers.

### ***Congressional Action***

Tempe will continue to work with our Congressional delegation to support efforts to secure adequate funding for hazard mitigation and emergency response programs, so that state and local governments can protect citizens when disaster occurs.

## **PARKS AND RECREATION**

### **Urban Park & Recreation Recovery**

The Urban Park and Recreation Recovery (UPARR) program was established in November 1978 by Public Law 95-625, authorizing \$725 million to provide matching grants and technical assistance to economically distressed urban communities. While authorized, UPARR has not had any appropriations since 2002. The purpose of the program is to provide direct Federal assistance to urban localities for rehabilitation of critically needed recreation facilities. The law also encourages systematic local planning and commitment to continuing operation and maintenance of recreation programs, sites, and facilities.

Only cities and urban counties meeting established criteria are eligible for assistance. While Tempe has not previously received funding from this grant source, recent demographic changes within Tempe have created an opportunity for application should funding be restored.

### ***Congressional Action***

Re-establish funding to the UPARR program in FY 2009. The City of Tempe will continue to work closely with our delegation, the National League of Cities, the League of Arizona Cities and Towns and other cities in the United States to persuade Congress and the Administration to re-establish funding.

### **Land and Water Conservation Fund (LWCF)**

The Land and Water Conservation Fund (LWCF) was established in 1964 using royalties from Outer Continental Shelf oil and gas drilling leases for park land acquisition and the development of recreational facilities. The LWCF has two separate funding categories: federal land acquisition, and the state grants program. The state grants program provides block grants directly to states, which is shared with local governments, for the acquisition of park land and the development of recreational facilities. All dollars in the program must receive an equal match of state or local funds, thus maximizing the effectiveness of federal acquisition dollars. The program has been very effective in the past. Since the inception of the program in 1965, the City of Tempe has received over \$3.1 million for park acquisition and development. Most recently, the

City received funding for the Tempe Sports Complex, (2002 - \$487,269.00) and for McClintock Pool renovations, (1994 - \$370,000.00).

In FY 2006 the program was allocated \$29,559,000.00, in FY 2007 - \$29,622,000.00 and for FY 2008 - \$24,610,000.00. The LWCF state grant program is currently not included in the President's FY 2009 budget.

***Congressional Action***

Restore funding for state grants in addition, authorize the use of existing funds from the LWCF to provide more funding for LWCF state grants program. Significant fund balances exist within the LWCF from the revenue derived from existing leases. However, these funds can not be allocated towards their intended use without specific authorization from Congress. The City of Tempe will continue to work closely with our delegation, the National League of Cities, the League of Arizona Cities and Towns and other cities in the United States to persuade Congress and the Administration to provide more funding.